

## SENATE BILL No. 222

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-12-19-1.

**Synopsis:** Tuition exemption. Provides a tuition exemption at state educational institutions to the child of a member of the armed services who was killed or disabled during a war or period of hostile actions by an enemy government or hostile force, whether or not the member of the armed services participated in actual combat.

**Effective:** July 1, 2006.

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January 9, 2006, read first time and referred to Committee on Education and Career Development.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## SENATE BILL No. 222

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-12-19-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) As used in this  
3 section, "state educational institution" has the meaning set forth in  
4 IC 20-12-0.5-1.

5 (b) This section applies to the following persons:

6 (1) A person who:

7 (A) is a pupil at the Soldiers' and Sailors' Children's Home;

8 (B) was admitted to the Soldiers' and Sailors' Children's Home  
9 because the person was related to a member of the armed  
10 forces of the United States;

11 (C) is eligible to pay the resident tuition rate at the state  
12 educational institution the person will attend as determined by  
13 the institution; and

14 (D) possesses the requisite academic qualifications.

15 (2) A person:

16 (A) whose mother or father:

17 (i) served in the armed forces of the United States;

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- (ii) received the Purple Heart decoration or was wounded as a result of enemy action; and
- (iii) received a discharge or separation from the armed forces other than a dishonorable discharge;
- (B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution; and
- (C) who possesses the requisite academic qualifications.

(3) A person:

- (A) whose mother or father:
  - (i) served in the armed forces of the United States during any war **or period of hostile action by an enemy government or hostile force, whether or not in actual combat**, or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States;
  - (ii) suffered a service connected death or disability as determined by the United States Department of Veterans Affairs; and
  - (iii) received any discharge or separation from the armed forces other than a dishonorable discharge;
- (B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend, as determined by the institution; and
- (C) who possesses the requisite academic qualifications.

(c) ~~Beginning with the semester or term that begins in the fall of 2000,~~ A person described in subsection (b) is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institutions, without the payment of any tuition or mandatory fees for one hundred twenty-four (124) semester credit hours in the state educational institution. For purposes of this chapter, the commission for higher education of the state of Indiana (IC 20-12-0.5-2) shall define mandatory fees in consultation with the state student assistance commission (IC 20-12-21-4).

(d) If an applicant:

- (1) is permitted to matriculate in the state educational institution;
  - (2) shall qualify under this chapter; and
  - (3) shall have earned or been awarded a cash scholarship which is paid or payable to such institution, from whatsoever source;
- the amount paid shall be applied to the credit of such applicant in the

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1 payment of incidental expenses of the applicant's attendance at the  
2 institution, and any balance, if the terms of the scholarship permit, shall  
3 be returned to such applicant.

4 (e) Determination of eligibility for higher education benefits  
5 authorized under this section is vested exclusively in the Indiana  
6 department of veterans' affairs. Any applicant for these benefits may  
7 make a written request for a determination of eligibility by the Indiana  
8 department of veterans' affairs. The director or deputy director of the  
9 department shall make a written determination of eligibility in response  
10 to each request. In determining the amount of an individual's benefit,  
11 the state student assistance commission shall consider other higher  
12 education financial assistance as provided in section 2 of this chapter.

13 (f) An appeal from an adverse determination shall be made in  
14 writing to the veterans' affairs commission not more than fifteen (15)  
15 working days following the applicant's receipt of the determination. A  
16 final order shall be made by a simple majority of the veterans' affairs  
17 commission not more than fifteen (15) days following receipt of the  
18 written appeal.

19 (g) A person who knowingly or intentionally submits a false or  
20 misleading application or other document under this section commits  
21 a Class A misdemeanor.

22 SECTION 2. [EFFECTIVE JULY 1, 2006] (a) **IC 20-12-19-1(b),**  
23 **as amended by this act, applies to a person who enters, remains in,**  
24 **and receives instruction in a state educational institution (as**  
25 **defined in IC 20-12-0.5-1) beginning with the semester or term that**  
26 **begins in the fall of 2006.**

27 (b) **This SECTION expires January 1, 2007.**

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